

**Commonwealth of Kentucky
Environmental and Public Protection Cabinet
Department for Environmental Protection
Division for Air Quality
803 Schenkel Lane
Frankfort, Kentucky 40601
(502) 573-3382**

**Title V
AIR QUALITY PERMIT
Issued under 401 KAR 52:020**

Permittee Name: AMBRAKE Manufacturing Ltd.
Mailing Address: 300 Ring Road, Elizabethtown, Kentucky 42701

Source Name: AMBRAKE Manufacturing Ltd.
Mailing Address: Same as above

Source Location: Same as above

Permit Number: V-04-001
Log Number: 50718
Review Type: Title V, Operating
Source ID #: 21-093-00054
ORIS Code: None

Regional Office: Frankfort Regional Office
643 Teton Trail, Suite B
Frankfort, KY 40601-1758
(502) 564-3358

County: Hardin

Application
Complete Date: February 10, 1999
Issuance Date: June 14, 2004
Expiration Date: June 14, 2009

**John S. Lyons, Director
Division for Air Quality**

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SECTION A - PERMIT AUTHORIZATION

Pursuant to a duly submitted application the Kentucky Division for Air Quality hereby authorizes the operation of the equipment described herein in accordance with the terms and conditions of this permit. This permit has been issued under the provisions of Kentucky Revised Statutes Chapter 224 and regulations promulgated pursuant thereto.

The permittee shall not construct, reconstruct, or modify any affected facilities without first having submitted a complete application and receiving a permit for the planned activity from the permitting authority, except as provided in this permit or in 401 KAR 52:020, Title V Permits.

Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by this Cabinet or any other federal, state, or local agency.

SECTION B - AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

01 Boiler

02 Boiler

03 Boiler

Description:

The natural gas boilers provide heat for process operation.

Maximum Continuous Rating: 7 mmBTU per hour

APPLICABLE REGULATIONS:

401 KAR 59:015, New Indirect Heat Exchangers

1. Operating Limitations:

None

2. Emission Limitations:

a. Emission of particulate matter from each boiler shall not exceed 0.56 lb per mmBtu or 3.92 lbs/hr. [401 KAR 59:015, Section 4(1)(a)]

b. Emission of sulfur dioxide from each boiler shall not exceed 3.0 lb per mmBtu or 21.0 lbs/hr. [401 KAR 59:015, Section 5(1)(a)]

c. The opacity of visible emissions shall not exceed twenty (20) percent. [401 KAR 59:015, Section 4(2)]

Compliance Demonstration Method:

Compliance with emission limitations is assumed when burning natural gas.

3. Testing Requirements:

None

4. Specific Monitoring Requirements:

None

5. Specific Recordkeeping Requirements:

The owner or operator shall maintain records of the plant-wide amount of natural gas used.

6. Specific Reporting Requirements:

See Section F

7. Specific Control Equipment Operating Conditions:

None

8. Alternate Operating Scenarios:

None

SECTION B - AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

- 04 Front Zinc Platers**
- 05 Rear Zinc Platers**
- 12 Unlined Shoe Process**
- 13 Shoe & Lining Adhesive Ovens**
- 14 Marking and Painting Line**
- 15 Cure Ovens**
- 16 Friction Materials & Shoe and Line Grinding**
- 17 Pressure Plate Surface Treatment**

Description:

Maximum rated capacities:

- EP 04: 10,000,000 parts/year
- EP 05: 3,000,000 parts/year
- EP 12: 7,100,000 parts/year
- EP 13: 7,100,000 parts/year
- EP 14: 16,200,000 parts/year
- EP 15: 24,000,000 parts/year
- EP 16: 31,100,000 parts/year
- EP 17: 24,000,000 parts/year

Control equipment:

- EP 12: thermal oxidizer, 93% efficiency
- EP 13: spun glass filter, 90% efficiency
- EP 14: spun glass filter, 90% efficiency
- EP 16, fabric filter, 99% efficiency
- EP 17: spun glass filter, 90% efficiency

APPLICABLE REGULATIONS:

401 KAR 59:010, New Process Operations

1. Operating Limitations:

None

2. Emission Limitations:

Pursuant to Regulation 401 KAR 59:010:

- a) Visible emissions from each emission point above shall not equal or exceed 20 percent opacity, as determined by 40 CFR 60, Appendix A, Reference Method 9.
- b) Hourly particulate emissions from each emission point above as measured by Reference 40 CFR 60, Appendix A, Reference Method 5, averaged over three hours shall not exceed 2.34 lb/hr.

SECTION B - EMISSION POINTS, AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (continued)

COMPLIANCE DEMONSTRATION:

Compliance is assured by proper operation of the control devices.

3. Testing Requirements:

None

4. Specific Monitoring Requirements:

The owner or operator shall monitor the following:

- a. The process rate for each emission point in parts/hr (divide daily process rate by hours of operation).
- b. All routine and non-routine maintenance of the control devices.

5. Specific Record Keeping Requirements:

The owner or operator shall keep records of the following:

- a. The process rate for each emission point in parts/hr (divide daily process rate by hours of operation).
- b. All routine and non-routine maintenance of the control devices.

6. Specific Reporting Requirements:

See Section F

7. Specific Control Equipment Operating Conditions:

None

8. Alternate Operating Scenarios:

None

9. Compliance Schedule:

None

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**18 Small Parts Vapor Degreaser**

Description: The vapor degreaser is fitted with an automatic hoist that processes one basket at a time. The hoist picks up one basket at the inlet side of the machine and transports it over the solvent immersion tank. Then the hoist lowers the basket into the immersion tank and tumbles the basket in the solvent for a prescribed dwell time. The basket is lifted into the vapor space and tumbled to allow solvent to drain properly from the parts for a prescribed dwell time. The hoist lifts the basket of parts into a refrigerated freeboard area and tumbles the basket again for a prescribed dwell time. The hoist then transports the basket to the unload position where the operators remove the basket from the vapor degreasing process. The hoist travels back to the inlet side of the machine to pick up the next basket and begin the process over again. Freshly cleaned brake parts are transferred to the brake assembly areas for assembly of the final brake products.

Maximum process rate: 0.40 gallons/hr of trichloroethylene.

Construction Complete: February, 2000

APPLICABLE REGULATIONS:

40 CFR Part 63 Subpart T, National Emission Standards for Halogenated Solvent Cleaning

401 KAR 59:185, New solvent metal cleaning equipment.

1. Operating Limitations:

Pursuant to 401 KAR 59:185, Section 3, the owner or operator shall install, maintain, and operate the control equipment and observe at all times the operating requirements as specified in 401 KAR 59:185, Section 5.

Pursuant to 40 CFR 63, Subpart T, the permittee shall ensure that each of the above cleaning machines conforms to the following design requirements:

- a. Maintain a reduced room draft as described in 40 CFR 63.463(e)(2)(ii).
- b. Each cleaning machine shall have a freeboard ratio of 0.75 or greater.
- c. Each cleaning machine shall have an automated parts handling system capable of moving parts or parts basket at a speed of 3.4 meters per minute (11 feet per minute) or less from the initial loading of parts through removal of clean parts.
- d. Each vapor-cleaning machine shall be equipped with a device that shuts off sump heat if the sump liquid solvent level drops to the sump heater coils.
- e. Each vapor-cleaning machine shall be equipped with a vapor level control device that shuts off sump heat if the vapor level rises above the height of the primary condenser.
- f. Each vapor-cleaning machine shall have a primary condenser.
- g. The vapor-cleaning machine shall employ a freeboard refrigeration device with a freeboard ratio of 1.0 to satisfy 40 CFR 63.463(b)(1)(i).
- h. The parts baskets or the parts being cleaned in an open-top batch vapor cleaning machine shall not occupy more than 50 percent of the solvent/air interface area unless the parts baskets or parts are introduced at a speed of 0.9 meters per minute (3 feet per minute) or less.
- i. Any spraying operations shall be done within the vapor zone or within a section of the solvent cleaning machine that is not directly exposed to the ambient air (i.e., a baffled or

SECTION B - EMISSION POINTS, AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

- enclosed area of the solvent cleaning machine).
- j. Parts shall be oriented so that the solvent drains from them freely. Parts having cavities or blind holes shall be tipped or rotated before being removed from any solvent cleaning machine unless an equally effective approach has been approved by the Division.
 - k. Parts baskets or parts shall not be removed from any solvent-cleaning machine until dripping has stopped.
 - l. During startup of each vapor cleaning machine, the primary condenser shall be turned on before the sump heater.
 - m. During shutdown of each vapor cleaning machine, the sump heater shall be turned off and the solvent vapor layer allowed to collapse before the primary condenser is turned off.
 - n. The solvent shall be transferred to and from the solvent cleaning machine using threaded or other leak proof couplings and the end of the pipe in the solvent sump shall be located beneath the liquid solvent surface.
 - o. The solvent cleaning machine and associated controls shall be maintained according to manufacturer's specifications or using alternative maintenance practices that have been demonstrated to the Division's satisfaction to achieve the same or better results as those recommended by the manufacturer.
 - p. Each operator of the solvent cleaning machine shall complete and pass the applicable sections of the test of solvent cleaning procedures in Appendix A to 40 CFR 63 if requested during an inspection by the Division.
 - q. Waste solvent, still bottoms, and sump bottoms shall be collected and stored in closed containers. The closed containers may contain a device that would allow pressure relief, but would not allow liquid solvent to drain from the container.
 - r. No sponges, fabric, wood, or paper shall be cleaned in the solvent-cleaning machine.
2. **Emission Limitations:**
None
3. **Testing Requirements:**
None
4. **Monitoring Requirements:**
Pursuant to 40 CFR 63.463, the permittee shall monitor the following:
- a. Conduct monitoring of each control device used to comply with 40 CFR 63.463 as provided according to 40 CFR 63.466.
 - b. Determine during each monitoring period whether each control device used to comply with these standards meets the requirements specified in 40 CFR 63.463 (e)(2)(i) through (e)(2)(xi).
 - c. If any of the requirements of 40 CFR 63.463(e)(2) are not met, determine whether an exceedance has occurred using the criteria in paragraphs (e)(3)(i) and (e)(3)(ii) of 40 CFR 63.463.
 - d. Hoist speed shall be monitored as described in 40 CFR 63.466(c)(1) through (c)(4).

SECTION B - EMISSION POINTS, AFFECTED FACILITIES, APPLICABLE

REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

- e. The owner or operator shall comply with the monitoring requirements in 40 CFR 63.466(d)(1) or (d)(2).

5. Specific Record Keeping Requirements:

- a. The owner or operator shall maintain all applicable records in written or electronic form specified in 40 CFR 63.467(a)(1) through (a)(7) for the lifetime of the solvent cleaning machine.
- b. The owner or operator shall maintain all applicable records in written or electronic form specified in 40 CFR 63.467(b)(1) through (b)(4) for a period of 5 years.

6. Specific Reporting Requirements:

- a. The owner or operator shall submit an annual report by February 1 of the year following the one for which the report is being made. This report shall include the requirements specified in 40 CFR 63.468(f)(1) through (f)(3).
- b. The owner or operator shall report all exceedances and all corrections and adjustments made to avoid an exceedance as specified in 40 CFR 63.468(h).

7. Specific Control Equipment Operating Conditions:

None

SECTION B - EMISSION POINTS, AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

20 VOC Emissions from Coolants

Description: These coolants contain about 10-12% VOCs. Emissions from these coolants are fugitive VOC emissions that are emitted to the outside air through the building ventilation systems.

APPLICABLE REGULATIONS:

None

1. Operating Limitations:

None

2. Emission Limitations:

None

3. Testing Requirements:

None

4. Specific Monitoring Requirements:

None

5. Specific Recordkeeping Requirements:

None

6. Specific Reporting Requirements:

None

7. Specific Control Equipment Operating Conditions:

None

8. Alternate Operating Scenarios:

None

SECTION C - INSIGNIFICANT ACTIVITIES

The following listed activities have been determined to be insignificant activities for this source pursuant to 401 KAR 52:020, Section 6. While these activities are designated as insignificant the permittee must comply with the applicable regulation and some minimal level of periodic monitoring may be necessary.

<u>Description</u>	<u>Generally Applicable Regulation</u>
1. EP 06: Nickel Plater	401 KAR 59:010
2. EP 07: Nitric Acid Cleaning	401 KAR 59:010
3. EP 08: Nickel Solution Mixing	401 KAR 59:010
4. EP 09: Nickel Stripper Tank	401 KAR 59:010
5. EP 10: Electro-deposition Metal Preparation	401 KAR 59:010
6. EP 11: Electro-deposition Painting	401 KAR 59:010
7. EP 19: Spot Welders	401 KAR 59:010
8. Natural Gas Fired Space Heater (8 units) (0.6875 MMBtu / hr each)	None
9. Surface Heat Treatment (6 units) (0.265 MMBtu / hr each)	None
10. Pressure Plate Blanking	401 KAR 59:010
11. Die Cleaning Booth	401 KAR 59:010
12. Piston Buffing (2 units)	401 KAR 59:010
13. 365,000 Btu/hr Boiler	None
14. Natural Gas Fired Building Heating Unit (3 units)	None
15. Box Washer	401 KAR 59:010
16. Aluminum Caliper Washer	401 KAR 59:010
17. Wastewater Treatment Process Vents	401 KAR 59:010
18. Marking and Painting Powder Coat Line #1	401 KAR 59:010

SECTION C - INSIGNIFICANT ACTIVITIES (cont.)

19. Marking and Painting Powder Coat Line #2	401 KAR 59:010
20. Vacuum System	401 KAR 59:010
21. Ink Jet Printers (4)	401 KAR 59:010
22. Sand Blaster	401 KAR 59:010
23. Pad Disk Assembly Area	401 KAR 59:010
24. Sealer Machine	401 KAR 59:010

SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS

1. As required by Section 1b of the material incorporated by reference in 401 KAR 52:020, Section 10; compliance with annual emissions and processing limitations contained in this permit, shall be based on emissions and processing rates for any twelve (12) consecutive months.
2. Particulate emissions, as measured by methods referenced in 401 KAR 50:015, Section 1, shall not exceed the respective limitations specified herein.

SECTION E - SOURCE CONTROL EQUIPMENT REQUIREMENTS

1. Pursuant to 401 KAR 50:055, Section 2(5), at all times, including periods of startup, shutdown and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the division which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS

1. When continuing compliance is demonstrated by periodic testing or instrumental monitoring, the permittee shall compile records of required monitoring information that include:
 - a. Date, place as defined in this permit, and time of sampling or measurements.
 - b. Analyses performance dates;
 - c. Company or entity that performed analyses;
 - d. Analytical techniques or methods used;
 - e. Analyses results; and
 - f. Operating conditions during time of sampling or measurement.[Material incorporated by reference by 401 KAR 52:020, Section 1b (IV)1]
2. Records of all required monitoring data and support information, including calibrations, maintenance records, and original strip chart recordings, and copies of all reports required by the Division for Air Quality, shall be retained by the permittee for a period of five years and shall be made available for inspection upon request by any duly authorized representative of the Division for Air Quality. [Material incorporated by reference by 401 KAR 52:020, Sections 1b(IV) 2 and 1a(8)]
3. In accordance with the requirements of 401 KAR 52:020 Section 3(1)h the permittee shall allow authorized representatives of the Cabinet to perform the following during reasonable times:
 - a. Enter upon the premises to inspect any facility, equipment (including air pollution control equipment), practice, or operation;
 - b. To access and copy any records required by the permit;
 - c. Inspect, at reasonable times, any facilities, equipment (including monitoring and pollution control equipment), practices, or operations required by the permit. Reasonable times are defined as during all hours of operation, during normal office hours; or during an emergency.
 - d. Sample or monitor, at reasonable times, substances or parameters to assure compliance with the permit or any applicable requirements.
 - e. Reasonable times are defined as during all hours of operation, during normal office hours; or during an emergency.
4. No person shall obstruct, hamper, or interfere with any Cabinet employee or authorized representative while in the process of carrying out official duties. Refusal of entry or access may constitute grounds for permit revocation and assessment of civil penalties.
5. Summary reports of any monitoring required by this permit, **other than continuous emission or opacity monitors**, shall be submitted to the Regional Office listed on the front of this permit at least every six (6) months during the life of this permit, unless otherwise stated in this permit. For emission units that were still under construction or which had not commenced operation at the end of the 6-month period covered by the report and are subject to monitoring requirements in this permit, the report shall indicate that no monitoring was performed during the previous six months because the emission unit was not in operation.
[Material incorporated by reference by 401 KAR 52:020, Section 1b (V)1.]

SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

6. The semi-annual reports are due prior to January 30th and July 30th of each year. [Data from the continuous emission and opacity monitors shall be reported to the Technical Services Branch in accordance with the requirements of 401 KAR 59:005, General Provisions, Section 3\(3\).](#) All reports shall be certified by a responsible official pursuant to 401 KAR 52:020 Section 23. All deviations from permit requirements shall be clearly identified in the reports.
7. In accordance with the provisions of 401 KAR 50:055, Section 1 the owner or operator shall notify the Regional Office listed on the front of this permit concerning startups, shutdowns, or malfunctions as follows:
 - a. When emissions during any planned shutdowns and ensuing startups will exceed the standards notification shall be made no later than three (3) days before the planned shutdown, or immediately following the decision to shut down, if the shutdown is due to events which could not have been foreseen three (3) days before the shutdown.
 - b. When emissions due to malfunctions, unplanned shutdowns and ensuing startups are or may be in excess of the standards notification shall be made as promptly as possible by telephone (or other electronic media) and shall cause written notice upon request.
8. The owner or operator shall report emission related exceedances from permit requirements including those attributed to upset conditions (other than emission exceedances covered by Section F.7. above) to the Regional Office listed on the front of this permit within [30 days](#). Other deviations from permit requirements shall [be included in the semiannual report required by Section F.6.](#) [Material incorporated by reference by 401 KAR 52:020, Section 1b V 3, 4.]
9. Pursuant to 401 KAR 52:020, Permits, Section 21, the permittee shall certify compliance with the terms and conditions contained in this permit, by completing and returning a Compliance Certification Form (DEP 7007CC) (or an alternative approved by the regional office) to the Regional Office listed on the front of this permit and the U.S. EPA in accordance with the following requirements:
 - a. Identification of the term or condition;
 - b. Compliance status of each term or condition of the permit;
 - c. Whether compliance was continuous or intermittent;
 - d. The method used for determining the compliance status for the source, currently and over the reporting period, and
 - e. For an emissions unit that was still under construction or which has not commenced operation at the end of the 12-month period covered by the annual compliance certification, the permittee shall indicate that the unit is under construction and that compliance with any applicable requirements will be demonstrated within the timeframes specified in the permit.

SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

- f. The certification shall be postmarked by January 30th of each year. Annual compliance certifications should be mailed to the following addresses:

**Division for Air Quality
Frankfort Regional Office
643 Teton Trail, Suite B
Frankfort, KY 40601-1758**

**U.S. EPA Region IV
Air Enforcement Branch
Atlanta Federal Center
61 Forsyth St.
Atlanta, GA 30303-8960**

**Division for Air Quality
Central Files
803 Schenkel Lane
Frankfort, KY 40601**

10. In accordance with 401 KAR 52:020, Section 22, the permittee shall provide the division with all information necessary to determine its subject emissions within thirty (30) days of the date the KYEIS emission survey is mailed to the permittee.
11. Pursuant to Section VII.3 of the policy manual of the Division for Air Quality as referenced in 401 KAR 50:016, Section 1(1), results of performance test(s) required by the permit shall be submitted to the division by the source or its representative within forty-five days after the completion of the fieldwork.

SECTION G - GENERAL PROVISIONS

(a) General Compliance Requirements

1. The permittee shall comply with all conditions of this permit. Noncompliance shall be a violation of 401 KAR 52:020 and of the Clean Air Act and is grounds for enforcement action including termination, revocation and reissuance, revision or denial of a permit. [Material incorporated by reference by 401 KAR 52:020, Section 1a, 3]
2. The filing of a request by the permittee for any permit revision, revocation, reissuance, or termination, or of a notification of a planned change or anticipated noncompliance, shall not stay any permit condition. [Material incorporated by reference by 401 KAR 52:020, Section 1a, 6]
3. This permit may be revised, revoked, reopened and reissued, or terminated for cause in accordance with 401 KAR 52:020, Section 19. The permit will be reopened for cause and revised accordingly under the following circumstances:
 - a. If additional requirements become applicable to the source and the remaining permit term is three (3) years or longer. In this case, the reopening shall be completed no later than eighteen (18) months after promulgation of the applicable requirement. A reopening shall not be required if compliance with the applicable requirement is not required until after the date on which the permit is due to expire, unless this permit or any of its terms and conditions have been extended pursuant to 401 KAR 52:020, Section 12;
 - b. The Cabinet or the U. S. EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements;
 - c. The Cabinet or the U. S. EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit;

Proceedings to reopen and reissue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Reopenings shall be made as expeditiously as practicable. Reopenings shall not be initiated before a notice of intent to reopen is provided to the source by the division, at least thirty (30) days in advance of the date the permit is to be reopened, except that the division may provide a shorter time period in the case of an emergency.

4. The permittee shall furnish information upon requested by the cabinet to determine if cause exists for modifying, revoking and reissuing, or terminating the permit; or compliance with the permit. [Material incorporated by reference by 401 KAR 52:020, Section 1a, 7,8]
5. The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such facts or corrected information to the permitting authority. [Material incorporated by reference by 401 KAR 52:020, Section 7(1)]

SECTION G - GENERAL PROVISIONS (CONTINUED)

6. Any condition or portion of this permit which becomes suspended or is ruled invalid as a result of any legal or other action shall not invalidate any other portion or condition of this permit. [Material incorporated by reference by 401 KAR 52:020, Section 1a, 14]
7. The permittee shall not use as a defense in an enforcement action the contention that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance. [Material incorporated by reference by 401 KAR 52:020, Section 1a, 4]
8. Except for requirements identified in this permit as state-origin requirements, all terms and conditions shall be enforceable by the United States Environmental Protection Agency and citizens of the United States. [Material incorporated by reference by 401 KAR 52:020, Section 1a, 15)b]
9. This permit shall be subject to suspension if the permittee fails to pay all emissions fees within 90 days after the date of notice as specified in 401 KAR 50:038, Section 3(6). [Material incorporated by reference by 401 KAR 52:020, Section 1a, 10]
10. Nothing in this permit shall alter or affect the liability of the permittee for any violation of applicable requirements prior to or at the time of permit issuance. [401 KAR 52:020, Section 11(3)(b)]
11. This permit does not convey property rights or exclusive privileges. [Material incorporated by reference by 401 KAR 52:020, Section 1a, 9]
12. Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by the Kentucky Cabinet for Natural Resources and Environmental Protection or any other federal, state, or local agency.
13. Nothing in this permit shall alter or affect the authority of U.S. EPA to obtain information pursuant to Federal Statute 42 USC 7414, Inspections, monitoring, and entry. [401 KAR 52:020, Section 11(3)(d)].
14. Nothing in this permit shall alter or affect the authority of U.S. EPA to impose emergency orders pursuant to Federal Statute 42 USC 7603, Emergency orders. [401 KAR 52:020, Section 11(3)(a)]
15. This permit consolidates the authority of previously issued PSD, NSR and minor source preconstruction permit terms and conditions for various emission units and incorporates all requirement of existing permits into one single permit for this facility.
16. Permit Shield - A permit shield shall not protect the owner or operator from enforcement actions for violating an applicable requirement prior to or at the time of permit issuance. Compliance with the conditions of a permit shall be considered compliance with:
 - a. Applicable requirements that are included and specifically identified in the permit and
 - b. Non-applicable requirements expressly identified in this permit.

SECTION G - GENERAL PROVISIONS (CONTINUED)

(b) Permit Expiration and Reapplication Requirements

1. This permit shall remain in effect for a fixed term of five (5) years following the original date of issue. Permit expiration shall terminate the source's right to operate unless a timely and complete renewal application has been submitted to the division at least six months prior to the expiration date of the permit. Upon a timely and complete submittal, the authorization to operate within the terms and conditions of this permit, including any permit shield, shall remain in effect beyond the expiration date, until the renewal permit is issued or denied by the division. [401 KAR 52:020, Section 12]
2. The authority to operate granted shall cease to apply if the source fails to submit additional information requested by the division after the completeness determination has been made on any application, by whatever deadline the division sets. [401 KAR 52:030 Section 8(2)]

(c) Permit Revisions

1. A minor permit revision procedure may be used for permit revisions involving the use of economic incentive, marketable permit, emission trading, and other similar approaches, to the extent that these minor permit revision procedures are explicitly provided for in the SIP or in applicable requirements and meet the relevant requirements of 401 KAR 52:020, Section 14(2).
2. This permit is not transferable by the permittee. Future owners and operators shall obtain a new permit from the Division for Air Quality. The new permit may be processed as an administrative amendment if no other change in this permit is necessary, and provided that a written agreement containing a specific date for transfer of permit responsibility coverage and liability between the current and new permittee has been submitted to the permitting authority within ten (10) days following the transfer.

(d) Acid Rain Program Requirements

1. If an applicable requirement of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act) is more stringent than an applicable requirement promulgated pursuant to Federal Statute 42 USC 7651 through 7651o (Title IV of the Act), both provisions shall apply, and both shall be state and federally enforceable.

(e) Emergency Provisions

1. Pursuant to 401 KAR 52:020 Section 24(1), an emergency shall constitute an affirmative defense to an action brought for the noncompliance with the technology-based emission limitations if the permittee demonstrates through properly signed contemporaneous operating logs or relevant evidence that:
 - a. An emergency occurred and the permittee can identify the cause of the emergency;
 - b. The permitted facility was at the time being properly operated;
 - c. During an emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit;

SECTION G - GENERAL PROVISIONS (CONTINUED)

- and
- d. Pursuant to 401 KAR 52:020, 401 KAR 50:055, and KRS 224.01-400, the permittee notified the Division as promptly as possible and submitted written notice of the emergency to the Division when emission limitations are exceeded due to an emergency. The notice shall include a description of the emergency, steps taken to mitigate emissions, and corrective actions taken.
 - e. This requirement does not relieve the source from other local, state or federal notification requirements.
- 2. Emergency conditions listed in General Condition (f)1 above are in addition to any emergency or upset provision(s) contained in an applicable requirement. [401 KAR 52:020, Section 24(3)]
 - 3. In an enforcement proceeding, the permittee seeking to establish the occurrence of an emergency shall have the burden of proof. [401 KAR 52:020, Section 24(2)]
- (f) Risk Management Provisions
- 1. The permittee shall comply with all applicable requirements of 401 KAR Chapter 68, Chemical Accident Prevention, which incorporates by reference 40 CFR Part 68, Risk Management Plan provisions. If required, the permittee shall comply with the Risk Management Program and submit a Risk Management Plan to:

RMP Reporting Center
P.O. Box 3346
Merrifield, VA, 22116-3346
 - 2. If requested, submit additional relevant information to the division or the U.S. EPA.
- (g) Ozone depleting substances
- 1. The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:
 - a. Persons opening appliances for maintenance, service, repair, or disposal shall comply with the required practices contained in 40 CFR 82.156.
 - b. Equipment used during the maintenance, service, repair, or disposal of appliances shall comply with the standards for recycling and recovery equipment contained in 40 CFR 82.158.
 - c. Persons performing maintenance, service, repair, or disposal of appliances shall be certified by an approved technician certification program pursuant to 40 CFR 82.161.
 - d. Persons disposing of small appliances, MVACs, and MVAC-like appliances (as defined at 40 CFR 82.152) shall comply with the recordkeeping requirements pursuant to 40 CFR 82.166
 - e. Persons owning commercial or industrial process refrigeration equipment shall comply with the leak repair requirements pursuant to 40 CFR 82.156.

SECTION G - GENERAL PROVISIONS (CONTINUED)

- f. Owners/operators of appliances normally containing 50 or more pounds of refrigerant shall keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.
- 2. If the permittee performs service on motor (fleet) vehicle air conditioners containing ozone-depleting substances, the source shall comply with all applicable requirements as specified in 40 CFR 82, Subpart B, Servicing of Motor Vehicle Air Conditioners.

SECTION H - ALTERNATE OPERATING SCENARIOS

None

SECTION I - COMPLIANCE SCHEDULE

None